

Walter O'Cheskey
Chapter 13 Trustee
6308 Iola Avenue,
Lubbock TX 79424
(806) 748-1980
(806) 748-1956 FAX
MODT

**IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION**

**IN RE:
JON EDWARD BAXTER
KIM ANNE BAXTER
206 FIELDS RD**

GRAHAM, TX 76450

**CASE NO:09-70074-HDH-13
HEARING DATE: 03-13-2013
HEARING TIME: 10:00 AM**

DEBTOR ATTORNEY: MONTE J WHITE

MODIFICATION OF CHAPTER 13 PLAN AFTER CONFIRMATION

Date: February 6, 2013

Pursuant to 11 U.S.C. 1329, the Standing Chapter 13 Trustee requests the following Modification of Debtor(s) confirmed Plan herein:

**I
History of the Case**

1. Date Case Filed: February 26, 2009
2. Date of Section 341 Meeting: March 25, 2009
3. Date of Confirmation: April 23, 2009
4. First Payment Date: March 28, 2009
5. Total Plan Term Prior to this Modification: 60

**II
Modification Requested**

Raise Debtor's payment from \$1,226.00 to \$1,518.00 in March, 2013 for a base \$66,735.00.

**III
Reason for Modification**

Debtor(s) 2011 tax return shows that Debtor(s) received a tax refund of \$5,495.00 of which \$3,495.00 is due to Trustee per General Order 2010-01 for the benefit of unsecured creditors. Debtor(s) still owe Trustee \$3,495.00 of said refund. Modification is requested to raise Debtor(s) payment and/or base amount in order to pay Trustee the said tax refund.

Respectfully Submitted,

/s/ Walter O'Cheskey
Walter O'Cheskey, Chapter 13 Trustee
6308 Iola Avenue,
Lubbock TX 79424

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION**

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**A/K/A:
D/B/A:**

**A/K/A 2:
D/B/A 2:**

**NOTICE OF HEARING, PRE-HEARING CONFERENCE AND ATTACHED MODIFICATION OF PLAN AFTER
CONFIRMATION**

NOTICE OF HEARING

On 03-13-2013, which is at least twenty-eight (28) days from the date of service hereof, at 10:00am a **HEARING** on the above and foregoing "Modification of Plan After Confirmation" will be held in

**FOR LIVE COURT
US COURTHOUSE ROOM 222
10TH & LAMAR STREETS
WICHITA FALLS, TEXAS 763011234**

**FOR VIDEO COURT
US COURTHOUSE ROOM 208
10TH & LAMAR STREETS
WICHITA FALLS, TEXAS 763011234**

Creditors are not required to attend unless they have objections to the Modification.

NOTICE OF PRE-HEARING CONFERENCE

A **PRE-HEARING CONFERENCE** will be held at the same location listed above at 8:30am Hearings on Motions to Modify Plans with objections not resolved at the **PRE-HEARING CONFERENCE** will be heard by the Court at the scheduled Hearing time.

NOTICE is hereby given that pursuant to 11 U.S.C. 1329 the attached "Modification of Plan" dated 2/6/2012, **will be** approved by the Court as the Debtor's Modified Chapter 13 Plan unless a party in interest files a written "Objection to the Modification" within twenty-one (21) days of service hereof, and the Debtor has made any subsequent payments required under the Modified Plan. An "**Objection to Modification**" should be filed with the Bankruptcy Court at the following address:

**CLERK OF THE BANKRUPTCY CT
1100 COMMERCE 1254
DALLAS, TEXAS 752420000**

Walter O'Cheskey
 Chapter 13 Trustee
 6308 Iola
 Lubbock, TX 79424
 202-II

IN THE UNITED STATES BANKRUPTCY COURT
 FOR THE NORTHERN DIVISION OF TEXAS
 WICHITA FALLS DIVISION

IN RE:

JON EDWARD BAXTER & KIM ANNE BAXTER

CASE NO: 09-70074-HDH-13

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the attached document was sent via First Class Mail to the below listed parties at the addresses supplied as follows.

Name & Address	Name & Address
JON EDWARD BAXTER 206 FIELDS RD GRAHAM, TX 76450	KIM ANNE BAXTER -
YOUNG COUNTY APPRAISAL DIST PO BOX 337 GRAHAM, TX 76450-0000	INTERNAL REVENUE SERVICE SPECIAL PROCEDURES 1100 COMMERCE ST MC 5027DAL DALLAS, TX 75242-
INTERNAL REVENUE SERVICE PO BOX 7317 PHILADELPHIA, PA 19101-7317	INTERNAL REVENUE SERVICE PO BOX 7346 PHILADELPHIA, PA 19101-7346
YOUNG COUNTY C/O YOUNG COUNTY APPRSL DIST PO BOX 337 GRAHAM, TX 76450-0000	WALTER O'CHESKEY TRUSTEE 6308 IOLA AVENUE LUBBOCK, TX 79424-0000
OFFICE OF THE CH13 TRUSTEE 6308 IOLA AVENUE LUBBOCK, TX 79424-	MONTE J WHITE ATTORNEY AT LAW 1106 BROOK AVE HAMILTON PLACE WICHITA FALLS, TX 76301-0000
US ATTORNEY GENERAL 10TH ST & CONSTITUTION AVE WASHINGTON, DC 20530-0000	GRAHAM REGIONAL MEDICAL CENTER PO BOX 1390 GRAHAM, TX 76450-1390
GMAC MORTGAGE CORP PO BOX 780 WATERLOO, IA 50704-0780	DENTON AREA TEACHERS C/U PO BOX 827 DENTON, TX 76202-0000
WILLIAM T NEARY UNITED STATES TRUSTEE 1100 COMMERCE STREET RM 976 DALLAS, TX 75242-0000	US ATTORNEY ATTORNEY IN CHARGE 1100 COMMERCE STREET SUITE 300 DALLAS, TX 75242-1699
YOUNG COUNTY C/O PERDUE BRANDON FIELDER PO BOX 8188 WICHITA FALLS, TX 76307-8188	MATCO TOOLS 4403 ALLEN RD STOW, OH 44224-0000
GMAC MORTGAGE PO BOX 4622 WATERLOO, IA 50704-	WELLS FARGO PO BOX 60510 LOS ANGELES, CA 90060-0510
NATIONWIDE CREDIT INC 2015 VAUGHN RD NW STE 20 KENNESAW, GA 30144-	CODILIS & STAWIARSKI PC 650 N SAM HOUSTON PKWY E STE 450 HOUSTON, TX 77060-

CERTIFICATE OF SERVICE

CHASE BANK USA NA
PO BOX 15145

GRAHAM REGIONAL MEDICAL CENTER
1301 MONTGOMERY ROAD

WILMINGTON,DE 19850-5145

GRAHAM,TX 76450-

WELLS FARGO AUTO FINANCE
PO BOX 500
MAC F 6582034
CHESTER,PA 19013-

GMAC MORTGAGE
ATTN: BANKRUPTCY DEPT
1100 VIRGINIA DRIVE
FORT WASHINGTON,PA 19034-

WELLS FARGO BANK
13675 TECHNOLOGY DRIVE BLDG C 2ND FLOOR

DENTON ATCU
225 W MULBERRY ST

EDEN PRAIRIE,MN 55344-2252

DENTON,TX 76201-

BAYSTATE GAS
PO BOX 67015

WF FINANCIAL BANK/WELLS FARGO FINANCIAL
ATTN: BANKRUPTCY DEPT
2143 EAST COVENTION CENTER WAY #20
ONTARIO,CA 91764-

HARRISBURG,PA 17106-

PITE DUNCAN LLP
4375 JUTLAND DRIVE SUITE 200
PO BOX 17933
SAN DIEGO,CA 92177-0933

WELLS FARGO BANK NA
4137 121ST STREET

URBANDALE,IA 50323-

WASHINGTON MUTUAL PROVIDIAN
ATTN BANKRUPTCY DEPT
PO BOX 10467
GREENVILLE,SC 29603-

NCO FIN 99
PO BOX 41466

PHILADELPHIA,PA 19101-

SEARS CBSD
SEARS BANKRUPTCY RECOVERY
7920 NW 110TH ST
KANSAS CITY,MO 64153-

UNVL CITI
ATTN CENTRALIZED BANKRUPTCY
PO BOX 20507
KANSAS CITY,MO 64195-

PRA RECEIVABLES MANAGEMENT
PORTFOLIO RECOVERY ASSOC
PO BOX 12914
NORFOLK,VA 23541-

PRA RECEIVABLES MANAGEMENT
PORTFOLIO REC ASSOC
PO BOX 41067
NORFOLK,VA 23541-

WELLS FARGO FINANCIAL
2501 SEAPORT DR STE BH30

WELLS FARGO BANK NA
ATTN REMITTANCE PROCESSING

CHESTER,PA 19013-

PO BOX 14487
DES MOINES,IA 50306-

Dated: 02/06/2013

/s/ Walter O'Cheskey
Chapter 13 Trustee
By: A.Ammons